

BRIEFING NOTE

Development of a New Permit for the 'Temporary Deposit of Materials on the Highway' – Claire McHarrie,
Project Administrator, Street Works Team.

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Introduction

Currently in Shropshire there is no process to account for the temporary deposit of materials on the highway. There have been recent incidences where a process would have been beneficial to both Shropshire council and to the general public, hence we feel now is the time to address the issue.

Background

The temporary deposit of materials usually refers to building or horticultural materials to be used at a property when there is no option available off the highway that can safely accommodate the items. Currently there is no process in place which allows for the safe coordination, monitoring and enforcement of such incidences which could potentially cause disruption on the highway, so we would like to implement a process similar to placement of skips on the highway, thus allowing us to ensure possible disruption is kept to a minimum. A recent example took place in Shifnal whereby a resident was storing building materials on the carriageway for a length of time which was deemed as an obstruction to planned STW works at the same location and a possible hazard along the planned route of Shifnal Carnival, both situations were avoidable should a suitable policy and process have been in place.

Potential Policy and Enforcement Considerations

The creation of a new policy and process based on the existing Skip Permit (available: <https://shropshire.gov.uk/roads-and-highways/application-forms-and-charges/permit-to-place-a-builders-skip-on-the-highway/>) which would allow the temporary deposit of materials onto the highway under specified conditions, including the strict regulation of deposit dimensions, contents and location which would be coordinated and monitored by the Street Works Coordination and Enforcement teams to ensure disruption, hazards and obstructions are kept to a minimum as permitted under the Highways Act 1980 Section 171 (<http://www.legislation.gov.uk/ukpga/1980/66/section/171>). The policy will also indemnify the council against any incidences or related costs that arise from the presence of materials on the highway. Similar policies are in place in counties such as Warwickshire (<https://www.warwickshire.gov.uk/roads-and-travel/licences-and-permits>) who grant permits for one month periods and include the conditional text, '*to indemnify Warwickshire County Council against any and all actions arising from the deposit of the materials; and to pay any expenses the Council may incur in respect of repairs to the highway and any apparatus in or on the highway arising from the deposition of the materials*'.

Suggested Actions

To gain approval from portfolio holder to develop and implement a new policy and process to permit the temporary deposit of materials on the highway.

Present new policy and process for consideration at cabinet.